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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,941	03/19/2004	Takco Yamada	04329.3279	6039
22852 7590 08/20/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER JACKSON, JAKIEDA R	
			ART UNIT 2626	PAPER NUMBER
			MAIL DATE 08/20/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/803,941

Applicant(s)

YAMADA, TAKEO

Examiner

Jakieda R. Jackson

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-10** are rejected under 35 U.S.C. 102(e) as being anticipated by Nagai et al. (USPN 2002/0159179), hereinafter referenced as Nagai.

Regarding **claim 1**, Nagai discloses a voice recording and reproducing apparatus, comprising:

a first voice recording portion (recording voice) which records an input voice as a main voice into a recording medium (column 1, paragraph 0005 and columns 1-2, paragraphs 0021-0027);

a second voice recording portion (second operating mode) which inputs a voice associated with the main voice recorded into the recording medium, and records the voice as additional voice information into the recording medium to be associated with the main voice (columns 1-2, paragraphs 0021-0027);

a selector portion which selects (select switch) the main voice recorded into the recording medium (column 4, paragraph 0110);

an additional voice reproducing portion which reproduces (reproduces) the additional voice information to be associated with the main voice selected by the selector portion (column 2, paragraph 0026 and column 4, paragraph 0108); and

a main voice reproducing portion (reproduces) which reproduces the main voice selected by the selector portion (columns 1-2, paragraphs 0021-0027 and column 4, paragraph 0108).

Regarding **claim 2**, Nagai discloses a voice recording and reproducing apparatus further comprising:

an voice information recording portion including an A/D converter (A/D) which converts an analog voice signal into a digital signal, a compressing portion which compresses the digital signal, and a write portion which writes the compressed digital signal into the recording medium (column 4, paragraph 0100 and column 5, paragraph 0114),

the first and second voice recording portions compressing the inputted voice in the same compression scheme, and recording the compressed voice (compress) into the recording medium by using the voice information recording portion (column 5, paragraph 0114 with column 6, paragraph 0130).

Regarding **claim 3**, Nagai discloses a voice recording and reproducing apparatus further comprising an operating portion to input a user's instruction, the operating portion comprising: as operation buttons,

a record button and a reproduction button for the main voice(recording and reproduction buttons; column 1, paragraph 0007 and column 6, paragraph 0134);

an additional voice information record button for indicating recording start (start) of the additional voice information (column 6, paragraph 0134); and

an additional voice information reproduction button for indicating reproduction start (start) of the additional voice information (column 6, paragraph 0134).

Regarding **claim 4**, Nagai discloses a voice recording and reproducing apparatus wherein a recording time of the additional voice information is set at a predetermined period of time, and the second voice recording portion stops (stop) recording of the additional voice information if the predetermined period of time has elapsed after starting recording of the additional voice information (column 6, paragraph 0134 with column 8, paragraph 0172).

Regarding **claim 5**, Nagai discloses a voice recording and reproducing apparatus wherein the second voice recording portion displays a recording integral time in a countdown manner until the predetermined period of time has elapsed from recording start of the additional voice information (counter; column 1, paragraph 0009 with columns 2-3, paragraphs 0047-0059 and column 6, paragraph 0133 with column 8-9, paragraphs 0183-0192).

Regarding **claim 6**, Nagai discloses a voice recording and reproducing apparatus wherein, in the case where additional voice information associated with the selected main voice information is already recorded in the recording medium, the selector portion displays (display) that the additional voice information is in the recording medium (column 6, paragraph 0133 and column 7, paragraph 0155).

Regarding **claim 7**, Nagai discloses a voice recording and reproducing apparatus wherein, in the case where additional voice information associated with the selected main voice information is already recorded in the recording medium, the selector portion displays that the additional voice information is in the recording medium (display; column 6, paragraph 0134), and the additional voice reproducing portion reproduces the additional voice information (reproduce; column 5, paragraphs 0114-0123).

Regarding **claim 8**, Nagai discloses a voice recording and reproducing apparatus further comprising an operating portion to input a user's instruction (instruction), the operating portion having a reproduction button for reproducing the main voice as an operation button (column 2, paragraphs 0022-0027),

in the case where additional voice information associated with the selected main voice information is already recorded in the recording medium, the selector portion blinks a display portion (displays) which indicates that the additional voice information is in the recording medium for a predetermined period of time, and the second voice recording portion starts reproduction of the additional voice information in response to a press of the reproduction button during the blinking display (column 6, paragraph 0140).

Regarding **claim 9**, Nagai discloses a voice recording and reproducing apparatus wherein the second voice recording portion, after the main voice has been recorded by the first voice recording portion, starts (start) recording of additional voice information associated with the main voice, and stops (stop) recording of the additional voice information after elapse of a predetermined period of time (column 6, paragraph 0134 with column 8, paragraph 0172).

Regarding **claim 10**, Nagai discloses an additional voice information recording method, comprising:

recording an inputted voice as a main voice into a recording medium (recording; column 4, paragraph 0107-0109);

inputting a voice associated with the main voice recorded into the recorded medium (recording; column 4, paragraph 0107-0110); and

recording the voice associated with the main voice as additional voice information into the recording medium to be associated with the main voice (column 4, paragraph 0107-0109 and column 5, paragraph 0115).


Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R. Jackson whose telephone number is 571-272-7619. The examiner can normally be reached on Monday-Friday from 5:30am-2:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRJ
August 13, 2007



DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER